

MINUTES

HOUSING & TRANSPORTATION COMMITTEE

February 19, 2014

A meeting of the Housing & Transportation Committee of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Councilmember JoAnn A. Yukimura, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Līhu'e, Kaua'i, on Wednesday, February 19, 2014, at 9:19 a.m., after which the following members answered the call of the roll:

Honorable Mason K. Chock, Sr.
Honorable Gary L. Hooser
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Ross Kagawa, Ex-Officio Member
Honorable Jay Furfaro, Ex-Officio Member

Excused: Honorable Tim Bynum

Mr. Furfaro: I would like to call to order the posted committee meetings for February 19, 2014 to start at or about 9:00 a.m. this morning. I would also like to start that with the moment of personal privilege for myself. Getting back to the audience as we have heard from the Office of Information Practices (OIP) office as it relates to our rules. First of all, the rule that deals with Rule 13(e) in our rules, not in the charter, I was correct in my interpretation of those rules after we spoke with OIP. The fact of the matter is this rule was designed for the purpose to accommodate those who cannot be present through the entire meeting to speak when the agenda item is actually scheduled later in the day. In that conclusion, the eighteen (18) minutes allowed for up to six (6) people to speak on one (1) item is correct in my interpretation and in fact its intent was to be very different from the rules presented by the Honolūlū Committee on the Kakaako development. The Kakaako development does not take testimony after the initial start of the meeting. Our rules allow us to take early testimony for the purpose of people with timelines. Our rules also allows them, if they do not take advantage of the early time to speak when the item comes up on the agenda. That portion of the challenge is the right interpretation of our rules as I so stated. Again, this rule is intended to accommodate those people who want to speak at the beginning of a meeting and cannot stay the whole day. Second part of that interpretation, because there is a second challenge to OIP, and that was if someone uses that time in the morning that they are still allowed to speak later in the day. We do not have an interpretation of that and that is still outstanding. My challenge is the fact we created this rule during my second year as Chairman for the purpose

of taking early testimony. If we are letting people in the audience assume that time then it defeats the whole purpose of the rule and we are still waiting for that from OIP. OIP's suggestion is if that interpretation does not fit with our rules, we have the option to actually remove this rule and not take any testimony in the beginning but I do not have the definition on that. OIP has concluded that if people wish to speak, they can speak on one (1) item up to three minutes in the agenda for the purpose of allowing time specific time to testify. There will be more developing on this but my interpretation was correct last week. On that note, I would like to say we are at that portion of today's Committee meeting. Could you please read the Section "A" on public comment pursuant to Council Rule 13e.

PUBLIC COMMENT

Pursuant to Council Rule 13(e), members of the public shall be allowed a total of eighteen (18) minutes on a first come, first served basis to speak on any agenda item. Each speaker shall be limited to three (3) minutes at the discretion of the Chair to discuss the agenda item and shall not be allowed additional time to speak during the meeting. This rule is designed to accommodate those who cannot be present throughout the meeting to speak when the agenda items are heard. After the conclusion of the eighteen (18) minutes, other members of the public shall be allowed to speak pursuant to Council Rule 12(e).

Chair Furfaro:
the start of today's meeting?

Alice, I believe you wanted to speak at

ALICE PARKER:

I deferred it to the item itself, thank you.

Chair Furfaro: Okay. Very good. Is there anyone else that wishes to speak at this time and for housekeeping announcement we will call to order the Finance Committee and allow those that want to testify on the Historical Society's one hundred (100) year celebration? We are going to let you speak first when we come to Mason's Committee and then Mason will recess his Committee and we will go back to the regular agenda. So on that note, I will turn the gavel over to the Chair of the Finance Committee.

There being no objections, the Committee recessed at 9:19 a.m., to convene in the Environmental Services / Public Safety / Community Assistance Committee meeting.

The meeting was called back to order at 9:35 a.m., and proceeded on its agenda item, as shown in the following Committee Report which is incorporated herein by reference

CR-HT 2014-01: on HT 2014-01

Communication (02/13/2014) from
Committee Chair Yukimura, requesting
agenda time to discuss a proposed draft
Resolution Acknowledging the Necessity to
Expedite Permit Processing for Workforce
Housing Units. **(Received for the Record.)**

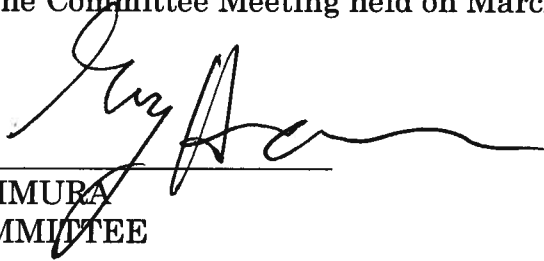
There being no further business, the meeting was adjourned at 10:13 a.m.

Respectfully submitted,



Lori L. Marugame
Council Services Assistant I

APPROVED at the Committee Meeting held on March 5, 2014:



JOANN A. YUKIMURA
CHAIR, HT COMMITTEE